

\*\*E-filed 5/18/07\*\*

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 Gerald C. Barker, Dennis C. Bucek,  
 Charles W. Cantoni, Kevin P. Connors,  
 Vittorio Fossati-Bellani, Robert M. Gelber,  
 John H. Hart, James L. Hobart, Kevin McCarthy,  
 Paul L. Meissner, Gary W. Rogerson,  
 Helene Simonet, Luis Spinelli, James L. Taylor,  
 Lawrence Tomlinson, Ronald A. Victor,  
 Sandeep Vij and Nominal Defendant Coherent, Inc.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

JAMES M. LEE,  
 Derivatively on Behalf of COHERENT, INC.,

Plaintiff,

v.

JOHN R. AMBROSEO, BERNARD J.  
 COUILLAUD, HELENE SIMONET, LUIS  
 SPINELLI, VITTORIO FOSSATI-BELLANI,  
 RONALD A. VICTOR, PAUL L. MEISSNER,  
 SCOTT H. MILLER, DENNIS C. BUCEK,  
 CHARLES W. CANTONI, SANDEEP VIJ,  
 JOHN H. HART, LAWRENCE TOMLINSON,  
 ROBERT J. QUILLINAN and GARRY W.  
 ROGERSON,

Defendants,

- and -

COHERENT, INC., a Delaware corporation,

Nominal Defendant.

CASE NO.: C-07-0955-JF

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE INITIAL  
 CASE MANAGEMENT  
 CONFERENCE**

STIPULATION AND [PROPOSED] ORDER  
 TO CONTINUE CASE MANAGEMENT  
 CONFERENCE, CASE NOS. C-07-0955-JF; C-  
 07-1264 JF; C-07-1265-JF

J. DAVIS BARTHOLOMEW,  
Derivatively on Behalf of COHERENT, INC.,

Plaintiff,

v.

JOHN R. AMBROSEO, BERNARD J.  
COUILLAUD, HELENE SIMONET, LUIS  
SPINELLI, VITTORIO FOSSATI-BELLANI,  
RONALD A. VICTOR, PAUL L. MEISSNER,  
SCOTT H. MILLER, DENNIS C. BUCEK,  
CHARLES W. CANTONI, SANDEEP VIJ,  
JOHN H. HART, LAWRENCE TOMLINSON,  
ROBERT J. QUILLINAN and GARRY W.  
ROGERSON,

Defendants,

- and -

COHERENT, INC., a Delaware corporation,  
Nominal Defendant.

CASE NO.: C-07-1264-JF

MICHAEL WERNER,  
Derivatively on Behalf of COHERENT, INC.,

Plaintiff,

v.

BERNARD J. COUILLAUD, JOHN R.  
AMBROSEO, CHARLES W. CANTONI, JOHN  
H. HART, ROBERT J. QUILLINAN, JAMES L.  
HOBART, HENRY E. GAUTHIER, ROBERT  
M. GELBER, SCOTT H. MILLER, KEVIN P.  
CONNORS, GERALD C. BARKER,  
VITTORIO FOSSATI-BELLANI, JAMES L.  
TAYLOR, KEVIN MCCARTHY, LUIS  
SPINELLI, RON VICTOR, and HELENE  
SIMONET,

Defendants,

- and -

COHERENT, INC.,

Nominal Defendant.

CASE NO.: C-07-1265-JF

1 WHEREAS, plaintiff James Lee has filed a motion to consolidate the above-captioned  
2 shareholder derivative actions and to appoint lead plaintiff and lead counsel, and plaintiff  
3 Michael Werner has filed a separate motion to consolidate these actions and to appoint lead  
4 counsel;

5 WHEREAS, the hearing regarding plaintiff Lee's and plaintiff Werner's motions to  
6 consolidate and to appoint lead plaintiff and/or lead counsel is set for May 25, 2007 at 9:00 a.m.;

7 WHEREAS, the Initial Case Management Conference is currently set for May 25, 2007;

8 WHEREAS, the parties wish to avoid the premature preparation of multiple case  
9 management submissions prior to the consolidation of the above-referenced actions and the  
10 designation of lead plaintiff and/or lead counsel;

11 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,  
12 subject to the approval of the Court, that the Initial Case Management Conference in the above-  
13 captioned actions shall be continued until thirty (30) days after the date of entry of an order  
14 consolidating the actions and appointing lead counsel and/or lead plaintiff, or such other later  
15 date that the Court deems appropriate, and that the related case management deadlines shall be  
16 adjusted accordingly.

1 **IT IS SO STIPULATED.**

2  
3 Dated: May 16, 2007

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

4  
5  
6 By: /s/ Diane M. Walters  
Diane M. Walters

7 Attorneys for Defendants John R. Ambroseo,  
8 Gerald C. Barker, Dennis C. Bucek,  
9 Charles W. Cantoni, Kevin P. Connors,  
10 Vittorio Fossati-Bellani, Robert M. Gelber,  
11 John H. Hart, James L. Hobart, Kevin  
12 McCarthy, Paul L. Meissner, Gary W.  
13 Rogerson, Helene Simonet, Luis Spinelli,  
14 James L. Taylor, Lawrence Tomlinson,  
15 Ronald A. Victor, Sandeep Vij, and  
16 Nominal Defendant Coherent, Inc.

17  
18  
19 Dated: May 16, 2007

HELLER EHRMAN LLP

20  
21  
22 By: /s/ Charles R. Jaeger  
Charles R. Jaeger

23 Attorneys for Defendant Scott H. Miller

24  
25  
26 Dated: May 16, 2007

FARELLA BRAUN & MARTEL LLP

27  
28 By: /s/ C. Brandon Wisoff  
C. Brandon Wisoff

Attorneys for Defendant Bernard J. Couillaud

1 Dated: May 16, 2007

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS, LLP

2  
3 By: /s/ Shawn Williams  
4 Shawn Williams

5 Attorneys for Plaintiff James M. Lee

6  
7 Dated: May 16, 2007

SCHIFFRIN BARROWAY TOPAZ &  
KESSLER, LLP

8  
9 By: /s/ Nichole Browning  
10 Nichole Browning

11 Attorneys for Plaintiff Michael Werner

12  
13 Dated: May 16, 2007

JOHNSON BOTTINI LLP

14  
15 By: /s/ Frank J. Johnson  
16 Frank J. Johnson

17 Attorneys for Plaintiff J. Davis Bartholomew

18 The Case Management Conference is rescheduled to Friday July 13, 2007 at 10:30 AM.

19 **IT IS SO ORDERED.**

20  
21 Dated: May 18, 2007

  
The Honorable Jeremy Fogel  
United States District Court Judge

1 I, Diane M. Walters, am the ECF user whose identification and password are being used  
2 to file the STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE  
3 MANAGEMENT CONFERENCE. In compliance with General Order 45.X.B, I hereby attest  
4 that Charles R. Jaeger, C. Brandon Wisoff, Shawn Williams, Nichole Browning and Frank  
5 Johnson have concurred in this filing.

6  
7 Dated: May 16, 2007

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

8  
9  
10 By: /s/ Diane M. Walters  
Diane M. Walters